REMARKS / ARGUMENTS

Claims 1-82 are now pending. No claims stand allowed.

Claims 1, 17, 20, 25-31, 47, 55-57, 73, and 81-82 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Claims 10-12, 16, 40-42, 46, 66-68, and 72 have been cancelled without prejudice or disclaimer. Claims 2-9, 13-15, 18-19, 21-24, 32-39, 43-45, 48-54, 58-65, 69-71, and 74-80 are unchanged, but their meaning is changed because they depend from amended claims.

No "new matter" has been added by the amendment.

As all the independent claims have been amended to include limitations not shown or suggested by the cited art, the Examiner's objections should now be rendered moot.

The First 35 U.S.C. § 103 Rejection

Claims 1-16, 25-27, 29-46, 55-72, and 81-82 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Yellin et al.[1] in view of Levy et al.[2] [3] This rejection is respectfully traversed.

According to the M.P.E.P.,

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference

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[1] U.S. Patent No. 5,761,513.
[2] U.S. Patent No. 6,092,147.
[3] Office Action at ¶ 3.

or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.[4]

When evaluating a claim for determining obviousness, all limitations of the claim must be evaluated.[5] The amended claims include limitations not disclosed or suggested by Yellin et al., either alone or in combination with Levy et al.

Independent Claims 1, 17, 25-31, 47, 55-57, 73, and 81-82

Amended independent claims 1, 17, 25-31, 47, 55-57, 73, and 81-82 specify defining an ordering for methods, where the ordering defines the placement of protected code in a first portion of a package. The amended independent claims also specify exception handler arrays defining exception handlers associated with the methods are combined in block form into a single exception handler table. The amended independent claims further specify that the combination comprises positioning the exception handler arrays in a second portion of the package based upon the ordering. The cited references do not teach or suggest these elements.

The Examiner states:

As to claim 10, Yellin further teaches the methods in one or more classes are grouped in a package (Java class file, line 20 column 3) where the package includes a package data structure including first and second portions (Fig. 2), the process including storing the exception handler table in the first portion (ThreadDeath to NoSuchMethod Error, Fig. 2) of the package and all methods in the second portion (thrownable, error and exception, Fig. 122) of the package.[6]

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[4] Manual of Patent Examining Procedure (M.P.E.P) § 2143.
[5] *In re Dillon*, 919 F.2d 688, 16 USPQ2d 1897 (Fed. Cir. 1990).
[6] Office Action at ¶ 3.

The Applicants respectfully disagree. Contrary to the Examiner's statement, <u>Yellin et al.</u> does not disclose where the methods in one or more classes are grouped in a package where the package includes a package data structure including first portion having the *protected code* of the methods, and a second portion having exception handler arrays defining exception handlers associated with the methods. In support of the contention that <u>Yellin et al.</u> discloses methods in one or more classes grouped in a package, the Examiner refers to FIG. 2 in <u>Yellin et al.</u>, which illustrates a hierarchical relationship between exceptions. The Examiner equates one part of the hierarchical diagram with a first portion and another part of the same hierarchy with a second portion. However, the entire figure regards the relationship between exceptions, not the placement of items in a package. In fact, FIG. 2 makes no reference to protected code. As mentioned in the Specification and claimed in the independent claims as amended, one or more classes can be grouped in a package where the package includes a package data structure including first portion including an exception handler table, and a second portion including all the methods.[7] Since this element is not disclosed in the <u>Yellin et al.</u> reference, the rejection is unsupported by the art and should be withdrawn.

The Examiner also states:

> As to claim 11, Yellin further teaches concatenating the exception handler arrays (hierarchy shown in Figs. 2-3) including loading each exception handler array into the first portion (ThreadDeath to NoSuchMethodError, Fig. 2) of the package data structure in accordance with a predefined ordering (class rank, line 49 column 3).[8]

The Applicants respectfully disagree. Contrary to the Examiner's statement, <u>Yellin et al.</u> does not disclose concatenating the exception handler arrays including loading each exception

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[7] Specification at p. 9 lines 6-12.

handler array into the first portion of the package data structure in accordance with a predefined ordering. In support of the contention that Yellin et al. discloses concatenating exception handler arrays, the Examiner again refers to block diagrams showing portions of an exception class hierarchy. However, FIG. 2 makes no reference to protected code, and it makes no correlation between the loading order of *protected code* and exception handler arrays associated with the protected code. Furthermore, the reference does not teach or disclose combining exception handler arrays *in block form* into a single exception handler table. Since these elements are not disclosed in the cited references, the rejection is unsupported by the art and should be withdrawn.

Support for the amendment made to claims 1, 17, 25-31, 47, 55-57, 73, and 81-82 is provided in the original specification, p. 9 lines 26 – 29, p. 16 line 22 – p. 17 line 10, p. 18 lines 15 – p. 19 line 6, and FIGS. 4, 5A, and 5B. Accordingly, the Applicants respectfully request the U.S.C. § 103 rejection with respect to claims 1, 17, 25-31, 47, 55-57, 73, and 81-82 be withdrawn.

Dependent Claims 2-9, 13-15, 18-24, 32-39, 43-45, 48-54, 58-65, 69-71, and 74-80

Claims 2-9 and 13-15 depend from claim 1. Claims 18-24 depend from claim 17. Claims 32-39 and 43- 45 depend from claim 31. Claims 48-54 depend from claim 47. Claims 58-65 and 69-71 depend from claim 57. Claims 74-80 depend from claim 74. Claims 1, 17, 31, 47, 57, and 74 being allowable, claims 2-9, 13-15, 18-24, 32-39, 43-45, 48-54, 58-65, 69-71, and 74-80 must also be allowable. Accordingly, the Applicants respectfully request the

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[8] Office Action at ¶ 3.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance. It is respectfully requested that the 35 U.S.C. § 103 rejection of claims based on Yellin et al. in view of Levy et al. be withdrawn.

The Second 35 U.S.C. § 103 Rejection

Claims 17-24, 28, 47-54, and 73-80 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yellin et al. in view of Levy et al., and further in view of Bak et al.[9][10] This rejection is respectfully traversed.

Claims 17, 28, 47, and 73 include limitations similar to claim 1. As noted above, Yellin et al. and Levy et al. do not make claim 1 obvious. For the same reasons, Yellin et al., Levy et al., and Bak et al. cannot be said to make claims 17, 28, 47, and 73 obvious.

Claims 18-24, 48-54, and 74-80 depend from claims 17, 47, and 73, respectively. The base claims being allowable, the dependent claims must also be allowable.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance. It is respectfully requested that the 35 U.S.C. § 103 rejection of claims based on Yellin et al. in view of Levy et al. and further in view of Bak et al. be withdrawn.
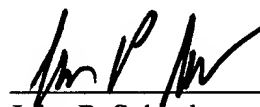
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[9] U.S. Patent No. 6,009,517.
[10] Office Action at ¶ 4.

Request for Allowance

It is believed that this Response places the above-identified patent application into condition for allowance. Early favorable consideration of this application is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,
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[10] Office Action at ¶ 4.